

# ORIGINAL

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FILED  
DISTRICT COURT OF GUAM  
MAR - 7 2006  
MARY L.M. MORAN  
CLERK OF COURT

7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE DISTRICT OF GUAM

9  
10 UNITED STATES OF AMERICA, ) CRIMINAL CASE NO. 05-00049  
11 ) Plaintiff, )  
12 vs. ) ) UNITED STATES' MOTION  
13 ) ) TO DISMISS SUPERSEDING  
14 ERIC REYES BORJA, and ) ) INDICTMENT  
15 SEAN MICHAEL COLE ) )  
16 a/k/a SHAWN COLE, ) )  
17 Defendants. ) )  
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18 COMES NOW the plaintiff, United States of America, by and through its undersigned  
19 attorney, and moves that the Superseding Indictment in the above cause, as to defendant SEAN  
20 MICHAEL COLE a/k/a SHAWN COLE, be dismissed, for the reason that the defendant entered  
21 a plea of guilty to an Indictment on August 16, 2005, under Criminal Case No. 05-00039, which  
said Indictment incorporated similar criminal acts.

22 RESPECTFULLY submitted this 7th day of March, 2006.  
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24 LEONARDO M. RAPADAS  
United States Attorney  
Districts of Guam and NMI  
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26 By:

27 MARIVIC P. DAVID  
Assistant U.S. Attorney  
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